THE HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
THE HON'BLE SRI JUSTICE P. SWAROOP REDDY

TAKEN UP WRIT PETITION NO.11466 OF 2000

Date: 5.11.2007

Between:

An article under the caption of "Charitraka Musiki Chivarai Rojulu" published in the Eenadu Telugu Daily Newspaper (City Edition) Dated 26.6.2000. … Petitioner.

And

The City Town Planner, M.C.H. Commercial Complex, Tankbund Road, Hyderabad 11 others. …. Respondents.

ORAL ORDER: **(per A. Gopal Reddy, J)**

This is a Writ Petition taken up on the basis of an article published in City Edition of Eenadau Telugu Daily Newspaper dated 26.6.2006 under the caption “Charitraka Musiki Chivari Rojulu”.

In response to the notices issued to the respondents, a counter-affidavit has been filed on behalf of respondents 1 and 2. A separate counter-affidavit has also been filed by 11th respondent i.e. District Collector, Hyderabad.

In the counter filed by the 11th respondent, it is stated that the Government of Andhra Pradesh in the year 2000 designed a scheme known as “Nandanavanam Project”, which has been approved by the Statement Government. The scheme is intended to clean the contaminated river flow to develop green belt and natural recreational facilities for the people by covering the entire belt of 15 K.Ms Stretch, to form the road all along bank of the river to connect two National High Ways to decongest the traffic in the city particularly the old city of Hyderabad to restore the aesthetic view of the river and magnificent buildings located on the banks of the river such as Salarjung Museum, High Court of A.P., State Central Library, Osmania General Hospital and Towli Mosque etc., It is also stated that Nandanavanam Project consists of Short Range and Long Range plans. Under the Short Range plan, the objects are - to allow free flow of water by formation of a central water channel, to eliminate further encroachments, to enforce the ban on forge cultivation, suitable relocation of dohbi ghats and to

treat the water to a particular standard for irrigation of plants and nurseries. The objects under the Long Range plan are to establish small STPs/ETPs (for primary treatment) at the confluence of Nalahs/Streams bringing domestic sewerage/industrial effluents to Moosi River; remodeling and improving the capacity of existing sewerage treatment plant at Amberpet for primary/secondary treatment; to encourage ornamental plantation and floriculture such as jasmine, Rose and Marigold. The sewerage sludge would provide effective nutrient such as N & P for healthy growth of ornamental and commercial crops and lastly to develop the road and the other infrastructure on the banks of the river to interlink with the ring roads.

It is further stated in the counter that at the time of commencement of the above scheme, the article has been published in the newspaper. It is further stated by the 11th respondent in the counter-affidavit that the Nandanavanam Project was taken up by Quli Qutub shah & Urban Development Authority, Hyderabad and completed Phase I of the project in the year 2002 and necessary administrative sanctions and funds were released under the said project. Subsequently, all the activities of Quli Qutub Shah Urban Development Authority, Hyderabad have been merged with the Hyderabad Urban Development authority and on such merge all the administrative powers were transferred to the authorities of Hyderabad Urban Development Authority and thereafter no funds were allocated to the respondents under the project. After 2002, as the very agency which has been entrusted with the execution of Nandanavanam Project has been merged in Hyderabad Urban Development Authority and the said authority could not continue the scheme further. It is further averred that now the Greater Hyderabad Municipal Corporation, Hyderabad framed a new scheme called “Moosi Beatification Project”

with the assistance of the Central Government and the said scheme is now in operation.

The Chief City Planner of Greater Hyderabad Municipal Corporation, Hyderabad in the counter-affidavit filed on behalf of respondents 1 and 2 reiterated the above contentions. It is was further stated in para 5 of the counter that the Greater Hyderabad Municipal Corporation, Hyderabad, Hyderabad Metro Water Supply and Sewerage Board and Hyderabad Urban Development Authority now framed a new Scheme called “Moosi Revitalization Project” with 50% financial assistance by the Union Government under Jawaharlal Nehru Urban Renewal Mission. The major objectives of the said New Project are to clean the river Moosi, develop as a major tourist attraction, create city level recreational and green spaces, facilitate economic development and social integration, maintain water sheets at strategic locations by constructing check dams. The counter further states that the proposed project include river drives, promenades and flood plan, land scaping, development of heritage sites/places, revitalization of existing open spaces, check dams, intercepting sewers, rehabilitation of dhobi ghats and informal settlements, night bazaars, multi-purpose open spaces, growth corridors, afforestation and access road improvement.

From the above, it is clear that initially Nandanavanam Project has been taken up by the Quli Qutub Shah Urban Development Authority, Hyderabad, but, now a new scheme has been framed by the Greater Municipal Corporation of Hyderabad with the financial assistance of the Central Government for beatification of the Moosi River belt area and various activities like providing recreational and green spaces, maintenance of water sheets at strategic locations by constructing check dams, multipurpose open spaces etc., are

proposed to be taken up in the new beatification project with the aim of cleansing the river Moosi and to develop it as a tourist attraction.

Since the article in the newspaper has come at the time of commencement of the Nandanavanam Project and subsequently the Greater Municipal Corporation of Hyderabad has framed a new scheme with the financial assistance of Central Government for beatification of the river etc., as detailed above, no cause survives in the writ petition. We have no manner of doubt that the new scheme as contemplated by the Greater Municipal Corporation of Hyderabad with the financial assistance of the Central Government, which is now said to be in operation, will be completed expeditiously and to the optimum level. With these observations, the Writ Petition is dismissed. No costs.

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A. GOPAL REDDY, J

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5th November, 2007 **P. SWAROOP REDDY, J**

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